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7/30/05

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
EMERGENCY RESPONSE BRANCH
9311 GROH ROAD, ROOM 216
GROSSE ILE, MI 48138-1697

REPLY TO ATTENTION OF:

Brian Kelly
U.S. EPA, ERB
9311 Groh Road
Grosse Ile, MI 48138-1697

April 30, 2005

Mr. Paul J. Kurzanski, REM
Public Safety & Environment Department
500 Water Street, J-275
Jacksonville, FL 32202

Former W.R. Grace Asbestos, N-Forcer Site, Dearborn, Michigan

Dear Mr. Kurzanski:

U.S. EPA acknowledges receipt of your April 29, 2005, notification of intent to perform a removal action on the CSXT Right-of-Way (ROW). U.S. EPA is pleased to hear that CSXT is finally moving forward after repeated requests from the Agency.

U.S. EPA reiterates its request that CSXT provide a copy of the workplan for U.S. EPA review and comment *before* initiation of work. As your letter recognizes, CSXT's delay in responding to U.S. EPA has eliminated the opportunity to coordinate and consolidate the disposal of the material from CSXT's property with the disposal activities conducted by U.S. EPA on adjacent properties. The entire cost of the ROW project will therefore be borne by CSXT, and U.S. EPA appreciates CSXT's willingness to now move forward quickly.

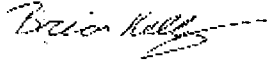
Your letter also includes a number of statements concerning CSXT's view of certain matters relating to the contamination. I do not wish to go into those points in detail, nor do I wish for those matters to become a distraction from CSXT's focus on the necessary work. So there is no misunderstanding, however, I want to make it clear that in U.S. EPA's view:

1. responsible parties include the current and former owners and operators of the facility (defined to include any places in which the hazardous substances at issue have come to be located), persons who generated the hazardous substance, and persons who were involved in the transport, treatment, or disposal of the hazardous substance,

2. U.S. EPA's Site Assessment Report and photo documentation clearly show that asbestos is present on CSXT's property; and
3. Libby Amphibole asbestos in all its forms is a CERCLA hazardous substance.

I look forward to receiving CSXT's workplan and I look forward to working with you to address the ROW contamination quickly and effectively. Please contact me at (734) 740 - 9019 at your earliest convenience to discuss CSXT's anticipated schedule and cleanup plans.

Sincerely yours,



Brian Kelly
U.S. EPA OSC

cc: Jason El-Zein, U.S. EPA
Thomas Krueger, U.S. EPA